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11 **UNITED STATES DISTRICT COURT**

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13 **CENTRAL DISTRICT OF CALIFORNIA**

14 UNITED STATES OF AMERICA,
15 Plaintiff,
16 vs.
17 WILLIAM ERIC FULTON,
18 Defendant.

19 Case No. 23-CR-00284-DMG

20 **ADDENDUM TO DEFENDANT'S
21 SENTENCING MEMORANDUM;
22 DECLARATION OF VICKI I.
23 PODBERESKY; EXHIBIT E [FILED
24 UNDER SEAL]**

25 DATE: March 5, 2024
26 TIME: 4:00 p.m.
27 CTRM: 8C -Courtroom of the Hon. Dolly
28 Gee

29 The Defendant agrees with Probation that no enhancement for role should be
30 applied as requested by the government. Mr. Fulton's company provides bookkeeping,
31 accounting and tax preparation services to hundreds of clients. For the over thirty
32 years Mr. Fulton has been in business, Mr. Nix is the only client identified to have
33 been engaged in any illegal activity. As probation notes, while Mr. Fulton's company
34 provided its normal array of services to Nix, Mr. Fulton was not an organizer, leader
35 or supervisor in the gambling enterprise run by Nix and others. The defense also
36 agrees with Probation that the two-point downward adjustment for zero-point offender
37 under section 4C1.1 should be applied.

1 Additionally, Mr. Fulton, by and through his counsel of record, Vicki I.
2 Podberesky, hereby submits under seal Exhibit E to Defendant's Sentencing
3 Memorandum. As set forth in the attached declaration of Vicki I. Podberesky, this
4 Addendum is submitted to provide the Court with additional information regarding
5 Mr. Fulton's son.

7 || DATED: February 28, 2024

Respectfully submitted,

ANDRUES/PODBERESKY,
A Professional Law Corporation

By: /s/ Vicki I. Podberesky
VICKI I. PODBERESKY
Attorneys for Defendant
WILLIAM ERIC FULTON

DECLARATION OF VICKI I. PODBERESKY

I, VICKI I. PODBERESKY, declare and state as follows:

1. I am an attorney at law licensed to practice before all courts of the State of California and am the attorney of record for defendant William Eric Fulton in the above-captioned matter.

2. I have personal knowledge of the matters set forth below, and could and would competently testify thereto, if called upon to do so.

3. I submit this declaration under seal in support of Defendant William Eric Fulton's Sentencing Memorandum.

4. Attached as Exhibit E is a true and correct copy of a letter regarding the medical condition of Mr. Fulton's son.

I declare under penalty of perjury under the laws of the State of California that to the best of my knowledge the foregoing is true and correct.

Dated this 28th day of February 2024 in Los Angeles, California.

/s/ Vicki I. Podberesky
VICKI I. PODBERESKY